

REMARKS/ARGUMENTS

Prior to the present Amendment, claims 1, 3-4, 6-9 and 11-15 were pending, claim 10 was withdrawn, and claims 2 and 5 were previously cancelled without prejudice. In the present Amendment, claims 1, 3-4 and 11 are amended, claims 10 and 15 are cancelled without prejudice, and new claims 16-17 are added. No new matter is added.

Claim Objection

The Examiner objected to claim 4, and Applicant has amended claim 4 as suggested by the Examiner to overcome the objection. Withdrawal of the objection is respectfully requested.

Claims Rejections

The Examiner rejected claims 1, 3-4, 6-8 and 11 under 35 U.S.C. §103 as being obvious over U.S. Patent No. 2,286,449 ("Wahlberg") in view of U.S. Patent No. 3,893,204 ("Kolb"). Also, the Examiner rejected claim 9 as being obvious over Wahlberg in view of Kolb and further in view of U.S. Patent No. 6,793,018 ("Jallet"). In addition, the Examiner rejected claims 12-14 as being obvious over Wahlberg in view of Kolb and further in view of U.S. Patent No. 4,864,678 ("Stevens"). Finally, the Examiner rejected claims 1, 4, 7-8 and 11-15 as being obvious over U.S. Patent No. 4,813,095 ("Sato") in view of Stevens. As an initial matter, claim 15 is cancelled, rendering the rejection moot with respect to this claim. Reconsideration of the rejections of the pending claims is respectfully requested.

Independent claim 1 defines a wiper device, comprising a wiper arm (12a) and a control unit (18a) for controlling the position (α) of a wiper blade (10a) in relation to the wiper arm (12a), in accordance with at least one operating variable (β), in particular of an operating position of the wiper arm (12a), wherein the wiper arm (12a) has a freedom of movement (γ) achieved without articulation, which is capable of producing a contact force, wherein the control unit (18a) features a different mechanical connecting part (22a) to a body of a motor vehicle than the wiper arm (12a), wherein the wiper arm (12a) and the connecting part (22a) are arranged one on top of the other in a top view in at least one operating position and in at least one partial section of the wiper arm (12a), wherein the wiper arm (12a) is connected to a drive shaft (46a), and wherein the connecting part (22a) is connected to the body of the motor vehicle by a shaft defining a rotational axis (48a) and spaced from the drive shaft (46a).

As acknowledged by the Examiner, Wahlberg lacks the feature that the wiper arm (32) and the connecting part (38) are arranged one on top of the other in a top view in at least one operating position and in at least one partial section of the wiper arm (32). While the wiper arm

1 and the control arm 2 of Kolb are arranged one on top of the other, Kolb does not teach or suggest that the wiper arm 1 is connected to a drive shaft and that the control arm 2 is connected to the body of the motor vehicle by a shaft defining a rotational axis and spaced from the drive shaft. Rather, as shown in Kolb, the wiper arm 1 and the control arm 2 (through the lever 10) are both connected to the motor vehicle by the power-driven axle 6.

For at least these independent reasons, Wahlberg and Kolb, alone or in combination, do teach or suggest the subject matter defined by independent claim 1.

Sato discloses a windshield wiper 10 including a wiper arm 12 and a control unit (a cable 22 passing through the wiper arm 12) for controlling the position of the blades 16, 18. The wiper arm 12 and the cable 22 are arranged one on top of the other.

While the wiper arm 12 and the cable 22 are arranged one on top of the other, Saito does not teach or suggest that the wiper arm 12 is connected to a drive shaft and that the cable 22 is connected to the body of the motor vehicle by a shaft defining a rotational axis and spaced from the drive shaft. Rather, as shown in Saito, the wiper arm 12 is connected to a drive shaft (not shown), and the cable 22 is fixed at 36.

Stevens does not cure the deficiencies of Saito. Stevens discloses a flexible windscreen wiper arm 1 with a socket 6 for connection to a drive mechanism. Stevens does not teach or suggest the claimed connecting part or such a connecting part connected to the body of the motor vehicle by a shaft defining a rotational axis and spaced from the drive shaft of the wiper arm 1.

For at least these independent reasons, Saito and Stevens, alone or in combination, do not teach or suggest the subject matter of independent claim 1.

Accordingly, Wahlberg, Kolb, Saito and Stevens, alone or in combination, do not teach or suggest the subject matter of independent claim 1. Therefore, claim 1 is allowable. Dependent claims 3-4, 6, 8-9, 11-14 and 16-17 depend from independent claim 1 and are allowable for at least the same and other independent reasons.

CONCLUSION

In view of the foregoing, entry of the present Amendment and allowance of claims 1, 3-4, 6, 8-9, 11-14 and 16-17 are respectfully requested.

If consultation will further prosecution of the application, the undersigned is available at the below-identified phone number during normal business hours.

Respectfully submitted,

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